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S/N 09/884,795

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SCHERER ET AL.	Examiner:	J. LEE
Serial No.:	09/884,795	Group Art Unit:	3673
Filed:	JUNE 19, 2001	Docket No.:	3616.177US12
Title:	BLOCK SPLITTING ASSEMBLY AND METHOD		

CERTIFICATE UNDER 37 CFR 1.6(d):I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on 9/22/03, 2003.
James A. LarsonTERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION*Terminal
Disclaimer 9/30/03
JLM*9/29/2003 WBROWN
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, Anchor Wall Systems, Inc., a corporation organized and existing under the laws of the State of Minnesota and having its primary place of business at 5959 Baker Road, Suite 390, Minnetonka, Minnesota 55345, in the county of Hennepin, and the state of Minnesota, represents that it is the exclusive owner of the entire right, title and interest in the above-identified application, by virtue of an assignment record at Reel 012111, Frame 0055 on August 27, 2001 in the above-identified U.S. Patent Application Serial No. 09/884,795, for which a copy of the Notice of Recordation of Assignment Document is attached. Petitioner further represents that it is the exclusive owner of the entire interest in U.S. Patent 6,321,740, by virtue of assignments recorded at Reel 010249, Frame(s) 0629 on September 20, 1999 and Reel 011835, Frame(s) 0992 on May 29, 2001, for which copies are attached.

Petitioner, Anchor Wall Systems, Inc., hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified U.S. Patent Application No. 09/884,795 which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,321,740. Petitioner hereby

agrees that any patent so granted on the above-identified U.S. Patent Application No. 09/884,795 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,321,740, this agreement to run with any patent granted on the above-identified U.S. Patent Application No. 09/884,795 and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified U.S. Patent Application No. 09/884,795 prior to the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of U. S. Patent No. 6,321,740, in the event that U. S. Patent No. 6,321,740: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned (Applicant's representative) is empowered to act on behalf of Anchor Wall Systems, Inc.

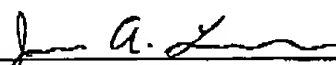
Applicant disagrees with the Examiner's conclusions of obviousness, but is nonetheless filing this terminal disclaimer in order to expedite allowance of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date:

9/22/03


James A. Larson
Reg. No. 40,443
JAL:PSTklg

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THE STATEMENT BELOW IS FOR OFFICE USE ONLY

In accordance with the decision granting the petition filed on _____, _____, this terminal disclaimer is accepted. The period of patent lapse specified above has been accepted as equivalent to _____ months.

Petitions Examiner





UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
 ASSISTANT SECRETARY AND COMMISSIONER
 OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

OCTOBER 30, 2001

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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/27/2001

REEL/FRAME: 012111/0055
 NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
 SCHERER, RONALD J.

DOC DATE: 07/12/2001

ASSIGNOR:
 LACROIX, DAVID MATTHEW

DOC DATE: 07/12/2001

ASSIGNOR:
 HOGAN, MICHAEL J.

DOC DATE: 07/12/2001

ASSIGNOR:
 BOLLES, GLENN C.

DOC DATE: 07/12/2001

ASSIGNEE:
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SERIAL NUMBER: 09884795
 PATENT NUMBER:

FILING DATE: 06/19/2001
 ISSUE DATE:

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012111/0055 PAGE 2

ANTIONE ROYALL, EXAMINER
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DECEMBER 06, 1999

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RECORDATION DATE: 09/20/1999

REEL/FRAME: 010249/0629
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
SCHERER, RONALD JAMES

DOC DATE: 09/01/1999

ASSIGNEE:
ANCHOR WALL SYSTEMS, INC.
5959 BAKER ROAD, SUITE 390
MINNETONKA, MINNESOTA 55345

SERIAL NUMBER: 09330879
PATENT NUMBER:

FILING DATE: 06/11/1999
ISSUE DATE:

LAWAN FLETCHER, EXAMINER
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Patent and Trademark Office
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AUGUST 09, 2001

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RECORDATION DATE: 05/29/2001

REEL/FRAME: 011835/0992
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

LACROIX, DAVID MATTHEW

DOC DATE: 05/22/2001

ASSIGNEE:

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SERIAL NUMBER: 09330879
PATENT NUMBER:

FILING DATE: 06/11/1999
ISSUE DATE:

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